

MINUTES OF MEETING OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: July 16, 2014

I. CALL MEETING TO ORDER

The meeting was called to order at 7:12 P.M.

II. ROLL CALL

Members Present: John Connolly, Chairman
Ken Baptiste, Vice Chairman
Sandy Slavin, Clerk
Joe Leggett
Donald Rogers
Jim Smith, Associate Member
David Pichette, Agent

Member Absent: Mark Carboni

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: June 18, 2014

To be handled at a later date.

IV. PUBLIC HEARINGS

A. RDA – Stephen Beranger

The public hearing notice was read into the record.

Present before the Commission: Stephen Beranger

Mr. Pichette described the project. The property is located at 174 Swifts Beach Road. This is an after the fact filing for the construction of a paved parking area w/in a coastal flood zone & in the buffer zone to a bordering vegetated wetland. A 20x70 paved parking area has been created w/in coastal flood zone AE, elevation 16 & VE, elevation 18. The works is also w/in 100ft of a drainage ditch that runs between the houses on Swifts Beach Road & the playground. The lot was paved to accommodate a motor home that is to park there during the summer months. This issue is also before the Wareham Zoning Board of Appeals. No stormwater management structures were included in the activity to handle runoff from the paved area. He recommends that some form of stormwater structure be required to handle runoff from the paved area, for example a stone trench, leaching galley, as this is a large area. He recommends a continuance for a revised plan.

Brief discussion ensued re: the notification to abutters & the need to do this.

MOTION: Mr. Leggett moved to continue the public hearing for Stephen Beranger to August 6, 2014. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

B. RDA – Janelle & Anthony Rotondi

The public hearing notice was read into the record.

Present before the Commission: Janelle & Anthony Rotondi

Mr. Pichette described the project. The property is located at 51 Oak St. The project involves the construction of a retaining wall w/ backfill & proposed patio in the buffer zone to a coastal bank, the replacement of an existing walkway, & the replacement of an existing patio & low retaining wall. A Keystone retaining wall 40 ft. in length is proposed 3 ft. high across the property 30 ft. from the top of the coastal bank which is in the flood zone elevation at this site. Fill would be brought in to raise the elevation behind the new wall to create a level area for a patio. He questioned the volume of fill. He stated pervious pavers would be used to create the 15x40 patio area. There is also an existing concrete walkway that would be removed & replaced w/ pervious pavers in the same footprint. An existing 10x15 ft. patio below the flood elevation would also be replaced w/ pervious pavers. A 2 ft. high 20 ft. long stone retaining wall near this patio would also be replaced w/ Keystone block in the same location & height. Erosion control should be installed at the base of the slope adjacent to the patio & walkway reconstruction. He recommends the issuance of a Negative 2 Determination for the work w/ the condition that erosion control be installed & that old material be removed from the site.

Brief discussion ensued re: the project & the installation of erosion control (site fence & haybales).

There were no questions or comments from the audience.

MOTION: Mr. Baptiste moved to close the public hearing for Janelle & Anthony Rotondi. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant a Negative Determination #2 for Janelle & Anthony Rotondi w/ the added condition that erosion control (silt fence & haybales) be installed. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

C. RDA – Deanne & James Bonnar

The public hearing notice was read into the record.

No-one was present to represent the application.

MOTION: Mr. Baptiste moved to continue the public hearing for Deanne & James Bonnar to August 6, 2014. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

D. RDA – David Stone, c/o McKinnon & Keese Engineering

The public hearing notice was read into the record.

Present before the Commission: Mr. Keese

Mr. Pichette described the project. The property is located at 12 Granston Way. The project involves the installation of a Title V septic tank/system. Work is greater than 100 ft. from the depicted top of the coastal bank. No additional fill shall be brought in. Disturbed areas will be reseeded w/ red fescue grass & organic fertilizer. The property lies partially in an AO flood zone. He recommends a Negative Determination #3.

MOTION: Mr. Baptiste moved to close the public hearing for David Stone. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant a Negative Determination #3 for David Stone. Mr. Rogers seconded.

VOTE: Unanimous (5-0-0)

E. RDA – Colin & Anne McNay, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Representative of G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 31 Warren Point Road. The project involves an upgrade to a septic system, which exists as two cesspools that are near the coastal bank. As part of the upgrade, it is required to pump dry the cesspools & fill w/ clean sand. All disturbed areas will be loamed & seeded. It is proposed to install silt fence around the two sites. He recommends a Negative Determination #3 for this project.

MOTION: Mr. Baptiste moved to close the public hearing for Colin & Anne McNay. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant a Negative Determination #3 for Colin & Anne McNay. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

F. NOI – Robert W. Doucette, c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Paul Mattos, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at 47 Cleveland Way in the Indian Mound Beach area. The project involves the reconstruction of a retaining wall along a coastal bank. The existing timber retaining wall is 43 ft. wide w/ 25 ft. return wing walls on each side. The wall height is 6 ft. high. The existing timbers are to be removed & a new 6x6 timber wall is to be constructed in the same general location. Deadman tiebacks will be built back into the land to prevent the wall from falling forward. Silt fence is proposed along the top of the coastal bank at the toe of the existing retaining wall. He recommends both haybales & silt fence. He stated work will be done predominately from the upland side of the property. A DEP number has been received. He recommends the issuance of an OOC w/ the standard conditions & the added conditions of haybales & silt fence, no creosote material to be utilized, & all old material to be removed from the site.

MOTION: Mr. Baptiste moved to close the public hearing for Robert W. Doucette. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

MOTION: Ms. Slavin moved to grant an Order of Conditions for Robert W. Doucette w/ the added conditions that haybales & silt fence be utilized, no creosote material be utilized, & all old material to be removed from the site. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

G. NOI – Joseph & Ann Gomes, c/o JC Engineering, Inc.

The public hearing notice was read into the record.

Present before the Commission: Brad Bertolo, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 24 Shangri-La Blvd. The project involves the replacement of deteriorating timber retaining walls w/ new keystone block walls in the buffer zone to Glen Charlie Pond. The existing site has a number of timber retaining walls as the site slopes significantly from the road down to the water. Three wooden training walls that are w/in 30 ft. of the edge of the pond are to be removed & replaced w/ two Keystone block walls. The closest Keystone wall to the water would be in the same location as the closest existing timber wall to the water. The length of wall to be replaced is 75 ft. closest to the water. An infiltrator system is proposed to handle roof runoff from the house. Also, existing block patios are proposed to be replaced in the same footprint w/ pervious pavers. Existing timber steps are to be replaced w/ stone steps. Also proposed is a new pea stone patio area w/in the 30 ft. no activity zone. The area where this is proposed is an area where timber terraced walls currently exists. The Commission may need to decide on this matter. Haybales will be placed along the inside or landward edge of the existing retaining wall along the beach between the work & the pond. A DEP file number has been received. He recommends the issuance of an OOC w/ the standard conditions & the added condition that all old construction debris be removed from the site.

MOTION: Mr. Baptiste moved to close the public hearing for Joseph & Ann Gomes. Mr. Rogers seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant an Order of Conditions as shown on plan dated June 20, 2014 for Joseph & Ann Gomes w/ the added condition that all old construction debris be removed from the site. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

H. NOI – William Bowler, c/o Mary Hourihan

The public hearing notice was read into the record.

Present before the Commission: _____

Mr. Pichette described the project. The property is located at 10 Carmichael Way. The project involves the reconstruction of a failed retaining wall at the lot which is along Blackmore Pond. 60 ft. of concrete block retaining wall is to be removed & replaced w/ a new allan block wall in the same general location. A portion of the existing retaining wall has already collapsed onto the adjacent beach. Haybales have been put into place to contain soil material behind the wall. The new wall will be 2 ft. above grade w/ two courses of new block below grade. Pourous material will be used to fill behind the wall as needed & w/in the blocks. No grade changes are proposed. A DEP file number has been received. He recommends the issuance of an OOC w/ the standard conditions.

MOTION: Mr. Baptiste moved to close the public hearing for William Bowler. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant an Order of Conditions w/ standard conditions to William Bowler. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. ANRAD – Ninety Six Realty LLC, c/o G.A.F. Engineering Inc.

MOTION: Mr. Baptiste moved to continue the public hearing for Ninety Six Realty LLC to August 6, 2014. Ms. Slavin seconded.

VOTE: (5-0-0)

B. NOI – Hall Keen Real Estate Management & Investment, c/o Site Design Engineering.

MOTION: Mr. Baptiste moved to continue the public hearing for Hall Keen Real Estate Management & Investment to August 6, 2014. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

C. NOI – Joaquim & Susan Macedo, c/o Charon Associations, LLC

Present before the Commission: _____

Mr. Pichette described the project. The property is located at 210 Blackmore Pond Road. This filing is being made in response to a violation that occurred at this site involving the alteration of land in the buffer zone to a bordering vegetated wetland & to a coastal bank by clearing land w/out conservation approval. The site is also w/in the estimated habitat of rare & endangered species. The project involves the restoration of the disturbed area w/ wild grass seed mix & shrubs. He previously recommended trees be mixed in also & that there be a specific plant scheduled identified. Also proposed is to construct a horse barn & corral at the site w/in the buffer zone to a coastal bank. A 24x26 barn is proposed w/ corral area. Additional clearing is proposed as part of the corral area. He recommends the additional clearing be scaled back. The hearing had been continued for a more detailed planting plan & to await comments from Natural Heritage. Natural Heritage did respond w/ no negative comments. A planting plan has been submitted, but does not include any trees to be planted. A DEP file number has been received. He

recommends the issuance of an OOC w/ the associated planting scheme w/ the addition of trees to be included.

MOTION: Mr. Baptiste moved to close the public hearing Joaquim & Susan Macedo. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant an Order of Conditions for Joaquim & Susan Macedo w/ the condition that there be an associated planting scheme w/ the addition of trees to be included w/ the Agent's approval & further, that the violation fee be waived. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

A. Sherman & Arnold Briggs – Marion Road & Springhill Road

MOTION: Mr. Baptiste moved to grant a one year extension to Sherman & Arnold Briggs – Marion Road & Springhill Road. Ms. Slavin seconded.

VOTE: Unanimous (5-0-0)

VII. ENFORCEMENT ORDERS

VIII. CERTIFICATES OF COMPLIANCE

A. Paul Sullivan – 9 Bridge View Lane

The Commission members concurred to place this item on a future agenda.

IX. ANY OTHER BUSINESS/DISCUSSION

A. Discussion: Reorganization

Brief discussion ensued.

MOTION: Mr. Baptiste moved to appoint Mr. Connolly as Chairman, Mr. Baptiste as Vice-Chairman, & Ms. Slavin as Clerk of the Conservation Commission. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

B. Discussion: Conservation Restriction/Stewardship

There was no discussion.

C. Discussion: Bills

There were no bills.

D. Discussion: Jim Wood – 24 Pinetree Drive

Discussion ensued re: 24 Pinetree Drive.

The Commission concurred to allow for stabilization & plantings w/ the Agent's approval.

E. Discussion: William Whynot – Canedy Street

Discussion ensued re: Canedy Street – William Whynot.

The Commission discussed the proposed project for Mr. Whynot on Canedy Street. The Commission concurred they were o.k. with this.

F. Discussion: Chapter 61A Property

Discussion ensued re: the Chapter 61A property. The Commission concurred that they are not interested.

G. Discussion: Town Meeting Schedule

There was no discussion.

H. Discussion: Vacation Time

The Agent briefly noted his vacation dates.

X. ADJOURNMENT

MOTION: Ms. Slavin moved to adjourn the meeting at 8:40 P.M. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

Date signed: 11/19/14

Attest: [Signature]

John Connolly, Chairman

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk 12/3/14

A TRUE COPY
ATTEST

[Signature]
TOWN CLERK